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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/918,232	07/30/2001	Daniel Watkins	A4-4265/1C/1C 1496.00002c	4958
24319 7590 01/12/2007 LSI LOGIC CORPORATION 1621 BARBER LANE MS: D-106 MILPITAS, CA 95035			EXAMINER BROWN, RUEBEN M	
			ART UNIT	PAPER NUMBER
			2623	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/12/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

<b>Office Action Summary</b>	<b>Application No.</b> 09/918,232	<b>Applicant(s)</b> WATKINS, DANIEL	
	<b>Examiner</b> Reuben M. Brown	<b>Art Unit</b> 2623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 02 October 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1,2,4-9,12-16 and 19-25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-2, 4-9, 12-16 & 19-25 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-2, 4-9, 12-16 & 19-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fuller, (U.S. Pat # 5,729,279).

Considering claims 1, 12, 14 & 20, the claimed apparatus comprising or method for distributing video;

'drive server configured to present one or more compressed data streams', is met by the operation of the video server 202, which used to store and forward video-on-demand programming, see col. 11, lines 60-67 thru col. 12, lines 1-22.

The amended claimed 'control server separate from the driver server', is met by the system control computer 206, which provides overall control of the storage and retrieval system of Fuller, (Fig. 1; col. 12, lines 37-40; col. 13, lines 22-65). Fuller teaches that the control server 206 is connected to the video server 202 via an Ethernet LAN.

As for the further claimed, "configured to present a particular one of the one or more data streams received from the drive server on a particular one of a plurality of busses as determined by a particular one of a plurality of request signals", Fuller teaches that the local video distribution network 204 supports wireless, coax or fiber lines for distribution of requested video programming, see col. 9, lines 55-65. Fuller goes on to teach the local area network configurations are at least chosen from several standard options.

As for the further claimed feature of, 'compressed data streams', Fuller teaches that the video programming may be received in MPEG format, col. 9, lines 35-37.

'one or more decoder devices connected to the busses, such that the decoder devices are in a separate room from the drive server and control server, such that the decoder devices are configured to decode at least one or more compressed data streams and generate at least one of a

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decoded audio and video signal, reads on the teaching in Fuller that the server processor includes an MPEG decoder circuit board, provides a plurality of decoded channels of video programming to a plurality of users, col. 12, lines 20-35 & col. 15, lines 24-36; Fig. 6.

As for the amended subject matter of 'navigation software modules executable on the control server, configured to generate control signals that program a respective one or more of the decoders, in response to one or more options entered at the respective decoder device', the claimed feature is met by the discussion in Fuller "that upon receipt of a particular command from the system computer 206, the video server downloads the selected programming to a buffer within the decoder circuit boards, col. 15, lines 24-35.

Regarding the additional feature recited in claims 1, 12, 14 & 20, even though Fig. 6 shows the decoder board 606 separate from the video server, the diagram does not specifically show the decoder boards in a separate room or a few feet away from the display device. Official Notice is taken that at the time the invention was made, it was well known to place a decoding means within a room terminal. It would have been obvious for one of ordinary skill in the art at the time the invention was made, to modify Fuller with the technique of placing decoding means within a room terminal, at least for the purpose of having a more distributed system.

Considering claim 2, Fuller meets the subject matter, col. 15, lines 1-5.

Considering claim 4, Fuller teaches a diagnostic mode, see col. 13, lines 50-56.

Considering claim 13, the claimed feature reads on the user in Fuller selecting a particular program that is decoded from MPEG to be displayed on the TV.

Considering claims 5-7 & 16, the compressed streams were addressed in claim 1. As for the DVD, Fuller teaches that the video programming may be stored on one or more disks within the server 202, col. 12, lines 1-10; col. 12, lines 51-60.

Considering claims 8 & 15, the claimed serial bus reads on the RS-232 serial link 302 disclosed in Fuller, col. 13, lines 39-48 & col. 14, lines 11-50. However, Fuller does not also disclose that claimed IEEE 1394 bus. Nevertheless, examiner takes Official Notice that the use of IEEE 1394-firwaire was well known in the art of local video distribution at the time the invention was made. It would have been obvious for one of ordinary skill in the art at the time the invention was made, to modify Fuller, with the well known element of an IEEE 1394-Firewire connection, at least for the desirable purpose of providing a wider variety of connection arrangements between the server and room terminals.

Considering claim 9, digital television reads on the MPEG video transmitted to the video server 202.

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Considering claims 12 & 14, the elements of an apparatus comprising a drive server, or a method for distributing video, comprises elements that correspond with subject matter mentioned above in the rejection of claim 1 and is likewise treated.

Considering claim 19, the claimed serial bus reads on the RS-232 serial link 302 discussed in Fuller, col. 13, lines 39-48 & col. 14, lines 11-50.

Considering claims 21 & 25, see Fuller, col. 15, lines 35-65.

Considering claims 23-24, the claimed elements of the supplemental decoder reads on the operation of the graphics engine 408, which may be connected to the system via an RS-232 serial link, see col. 14, lines 11-50.

### ***Conclusion***

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

A) Hwang Teaches controlling decoder devices from a control server.

B) Budow Local video distribution.

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**Any response to this action should be mailed to:**

Commissioner for Patents  
P.O. Box 1450  
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**or faxed to:**

(571) 273-8300, (for formal communications intended for entry)

**Or:**

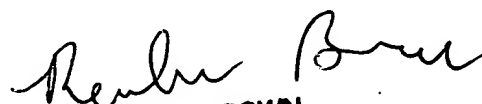
(571) 273-7290 (for informal or draft communications, please label  
"PROPOSED" or "DRAFT")

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Reuben M. Brown whose telephone number is (571) 272-7290. The examiner can normally be reached on M-F(8:30-6:00), First Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher Kelley can be reached on (571) 272-7331. The fax phone numbers for the organization where this application or proceeding is assigned is (571) 273-8300 for regular communications and After Final communications.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Reuben M. Brown

  
REUBEN M. BROWN  
PATENT EXAMINER